

April 22, 1986

Good Evening. My name is Gail Ewing. I live at 12804 North Commons Way, Potomac, Md.

I am a candidate for the Montgomery County Council and prior to February of this year was a County Council employee for 5 years.

I applaud the Council's effort to bring to Montgomery County employees a choice -- Collective Bargaining.

The voter referendum which signaled the public's endorsement of County employees' right to collective bargaining is well served by the intent of the bill before you. At last employees will have a chance to let their voices be heard.

Bill 19-86 contains many provisions and several amendments. I will be submitting written testimony for the record which highlights my position on many of the various areas addressed by the bill.

There are two items, however, which I would like to speak to, tonight.

First, I am particularly pleased that the Council addresses Pay Equity in Section 1 #4 (on page 3). This item reads "All positions involving comparable duties, experience, responsibilities and authority must be paid comparable salaries..." This item goes on to say, however, "inaccordance with the relative value of the service performed." I ask for your consideration of additional wording that clearly states an intention not to tolerate discrimination and to assure pay equity across the board -- in determining the "relative value of the service performed." It is past time for Pay Equity in Montgomery County and certainly any collective bargaining bill must contain Pay Equity as a part of its framework.

The second issue of concern is the fact-finding provision, when there is an impasse in collective bargaining negotiations. Fact-finding is an unsatisfactory end of the road -- management maintains a heavy-hand in the process rather than promoting a management-employee partnership. Fact-finding which draws the Council -- our legislative body -- into the final impasse resolution through public hearings and negotiations (through their representative) with the Union is unwise and unfair. The County Executive, or his designate, must be the good-faith bargainer to the end. County Government must speak with one voice in negotiations and it is imperative that the work of the Executive Branch not be simply a stepping stone to the Council. Collective bargaining by the 7-member legislative body spells trouble. The Council should help determine the parameters of the County Government's position --but once the negotiations have

started the Council's role should be in support of the Executive's role as negotiator. With the fact-finding procedure outlined in this bill I foresee major problems ahead and ask that the Council consider stepping back from it's involvement at impasse.

I further request your consideration of binding arbitration, rather than fact-finding at impasse. Leaving an impasse to an impartial judge is fair -- fair to management, employees and the public.

By the same token, just as employees may reject a negotiated settlement between the Union and County Government, the Council should be able to reject the agreement, as well. In both cases, rejection should send the parties back to the bargaining table.

I realize that the issues that I bring to you are controversial. However, in this instance, as with every issue, I have tried to put myself in the place of each party involved. What would I as a voter who voted for the 1982 referendum expect the Council to do? What would I as a County employee expect the Council to do? And, what should I, as a Councilmember, do to live up to the fiscal responsibilities of governing as well as meet the obligation to the citizens of the County who will have to pay for whatever negotiations produce. I am confident that a Collective Bargaining Bill with Pay Equity and binding arbitration will give employees a clear choice and -- is a responsible approach.

I thank you for your consideration of my position on these issues and look forward to the Council's worksessions on the bill in the weeks ahead.